G. R. S. 58
Previous references.

File No. 300-07

1907-8

Serial Nos. 102

(Confin)

Later references.
Gen 287/07-08

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 102

Part B. for April 08

SUBJECT.

Empowering the Chief Commandant to transfer contingent grants from one detailed head to another within the same minor head as regards the grants under his sole control

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from the Military Assistant
No. 2665 & 19.2.08 (D.3128)
forwards the file of papers relating to the powers of the Chief Commandant to sanction the transfers of grants in the Military Budget.

To the Military Asst & comptroller
No. 71. 5216-7 & 16.4.08
GPB—8,000—7-4-07
Empowers the Ch. Commandant to exercise powers referred to in para 29 of Fin. rules re the transfer of grants of Military Budget under his control

G.R.S. 11]

1907.8

GENERAL AND REVENUE SECRETARIAT

(Mil. Fin.)

NOTES.

File. No. 300-07.

FILE HEADING.

Powers of the Chf. Commandant to transfer budget grants from one head to another.

From

re Military Asst to:

No. 2665 Dated 19.2.08 Received 20.2.08.

Diary No. 3128 | Enclos. Nil Spare Copies.:- | Serial No. 1.

BRIEF ABSTRACT OF LETTER.

wants the file of papers relative to the powers of the Chf. Commandant to sanction the transfer of grants in the Military budget.

NOTES AND ORDERS.

The question raised in this file is whether the Chief Commandant can increase the powers of the Head of a Deptt. in regard to the transfer of budget grants from one head to another under rule 29 of the Fin. Rules

NOTES—First sheet.

GPB—30,000—20-3-06.

Serial No.

To begin with, it may be stated that the budget Estimates are divided into a number of major Heads (vide Appx P. Civil Accounts Code vol: II). A major head is again divided into a number of minor Head under minor heads come sub-heads (or group heads). Under the latter come what are called "detailed heads".

According to Fin: Rules, the Heads of Depts: mentioned in rule 28 (neither the Mil: Asstt: nor the Bhf: Comdt: come under this rule) have been empowered to sanction transfers of budget grants (contingent grants) from one minor Head to another within the same major Head. All other Heads of Depts: (including the Head of the Military Deptt:) can transfer contingent grants from one "detailed head" to another within the same minor Head. (rule 29). According to the current practice the Mil: Asstt: exercises the powers of transfering the grants under rules in respect of the Mil: Deptt.

The Bhf: Commandant contends that he is the Head of his Deptt: & as such the present practice is a mistak

Serial No.

He thinks that he himself can exercise the powers conferred by rule 29, without reference to the ~~Chief Commandant~~. Naik? Asstt:

On the other hand, the Military Asstt: thinks that he himself is the head of the Deptt that he alone can exercise those powers & that the current practice is correct.

It is seen from the above, that the powers under reference can only be exercised by the Head of a Deptt the question that will now suggest itself is, who is the Head of the Military Deptt? The G.O of the 11.6.0 holds the Naik Asstt: & the Chief Commandant to be of Equal Status But, in the matter of correspondence coming up to the fort, the direction is clear that it should pass thro' the Military Asstt:- "as he has already been vested with the powers of a Sec to Govt for such purposes." This order also lays down the other duties to be respectively performed by each of these two officers with the express direction that the duti

assigned to the Military Asstt: need in no way lead to a comparison as to relative seniority between the two officers. Neither this order nor another order decides the question as to who is really the Head of the Mil: Dpttt:

Another point to be noted is this. In order that the head of a Dpttt: may be empowered to transfer from one minor (or detailed) head to another, the expenditure under either head should be entirely under his control (rule 28) In respect of the branches of the Mil: Dpttt: that are under the control of the Chief Commandant, he may it seems be deemed to have every control over the expenditure of the Dpttt: If so, he may be empowered to exercise the powers of the Head of a Dpttt: conferred by rule 29, without reference to the Mil: Asstt:

Submitted for orders.

K.S.
28/2/08 } 29.2.08

Seq) The suggestion marked in the above note may be adopted & perhaps similar powers under rule 28 may also be given both to the Mil: Asstt & the Chief Commandant.

Serial No.

Since it is understood that Col Jones goes on leave in a few months, orders on this q^n may perhaps be reserved till ~~it~~ future arrangements are decided.

Dewan)

29/2

2/3

8211/2.3.08

Like may issue forthwith

21/3/08

9.2.0

Submitted to His Highness.

Under para 28 of the Budget Rules annexed to Government Proceedings No.Fl.1150-1192-18-1901-02 dated 7th February 1903, certain Heads of Departments have been given the power to sanction transfers of contingent grants, from one minor head to another within the same major head, provided the expenditure is entirely under their control; and under para 29, all other Heads of Departments, Deputy Commissioners and District Judges are empowered to transfer contingent grants from one detailed head to another within the same minor head. The Comptroller having declined to admit such a transfer made by the Chief Commandant and returned the re-appropriation statement for submission through the Military Assistant, the Chief Commandant has requested that he may be permitted to exercise the power referred to in para 29.

The Military Assistant says that the Comptroller is "right in stating that the re-appropriation statement should be forwarded through his office, as the Chief Commandant is not the Head of a Department".

The Chief Commandant however says that he is the Head of a Department and that he should be allowed to exercise the power.

The Chief Commandant has not hitherto been exercising this power. The fact is that there are no Government orders declaring him to be the Head of the Military Department. The Military Assistant and the Chief Commandant have been declared to be officers of equal rank and status, and the Chief Commandant has been directed to address Government through the Military Assistant, but the question who is the Head of the Department has been left unsettled.

Without attempting just at present to settle this vexed question, I would recommend that for the purposes of the present reference, the Chief Commandant may be given the power referred to in para 29 of the Budget Rules, as far as regards grants under his sole control.

This may be sanctioned.

3/4/1908

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Empowering the Chief Commandant to transfer contingent grants from one detailed head to another within the same minor head as regards the grants under his control.

Order.

Sanctioned

KRM

4/4/08

6/4/1908

Issue orders accordy

MB

7/4/08

G. R. S. 12]
General and Revenue Secretariat.

Gl Jin File No. 300 of 190

Serial No.

Submitted with a draft according
KS
11/4/08.

Issue as urged
KS
10/4/08

KS
Lay down
[illegible]
[illegible] 10/4
[illegible]
K.S
11/4/08

2. To the Mil. Asst to Comp. to Govt.
Pl 5216-7 dated the 16.4.08.
Empowers the Chief Commandant to exercise the powers referred to in para 29 of Financial Rules. & the transfers of grants, as far as regards grants under his sole control.

(1)
8(Fin 300-07 D3128

No. 2665-
F. No.

MILITARY ASSISTANT'S OFFICE,

DATED BANGALORE, 19/12/1908.

From

LIEUT.-COLONEL R G. JONES, I.A.,

MILITARY ASSISTANT TO THE GOVT. OF MYSORE.

C.S. Balasundaram Iyer, Esquire, B.A.,

Offg. Secretary to the Govt of Mysore,

General & Revenue Departments, Bangalore.

Sir,

I have the honor to forward the enclosed Memo No.151 dated the 7th January 1903, relative to the powers of the Chief Commandant, Mysore State Troops, to sanction the transfers of grants in the Military Budget for favor of being placed before the Council as directed by the Dewan.

I have the honor to be,

Sir,

Your most obedient servant,

RG Jones Lt-Col.,

Military Assistant.

File No.

Serial No.

Diary No. of letter replid to 3128

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(R. Jin)

, the 190

Date of issue 16th April/08

Signed by M.C. Venkatachar

READ.— Correspondence ending with the Military Asst's letter, No: 2665 of the 19.2.1908, on the subject of the powers of the Chief Commandant to Sanction

~~ORDER THEREON.—No.~~

transfers of contingent grants from one detailed head to another under para 29 of the Financial Rules appended to G.O. No: H: 1150-1192/R 7 15-1901 of the 7th February 1903.

not Kitchener Exercise
and there are no
of Govt declaring
the head of the
Under G.O. No (Nil)
of the 11th June 1902
Chief Commandant
the Military Staff are
declared to be officers of
Equal rank & Status.
and the Chf Commandant
is directed to address Govt:
thro' the Mil: Staff:

2) on a full consider
of the question at issue, Govt
consider that, under all the
circumstances of the case, the
Chf: Commandant may
exercise the powers referred
in para 29 of the Fin: Rule
as far as refers grants under
his sole control. In respect of

all these grants the
Asstt will, as hereof
to exercise the said

16, 8/4/8

for Secretary of
the said Asstt: dpt
(with enclosures)
the Comptroller dpt

J.S.
11/4/08